

HOUSE BILL No. 2025

By Representative Corbet

12-31

1 AN ACT concerning privacy rights; relating to real property; imposing
2 restrictions on access and surveillance by certain governmental officials
3 and agencies.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) No employee of the Kansas department of wildlife,
7 parks and tourism authorized to enforce the laws of the state of Kansas
8 pursuant to K.S.A. 32-808, and amendments thereto, or a county weed
9 supervisor pursuant to K.S.A. 2-1316, and amendments thereto, shall
10 conduct surveillance on private property unless authorized pursuant to a
11 warrant under K.S.A. 22-2502, and amendments thereto, the constitution
12 of the United States or a judicially recognized exception to the search
13 warrant requirement.

14 (b) As used in this section:

15 (1) "Surveillance" means either physical or electronic presence on
16 private property, including the use or installation of a tracking device, to
17 monitor activity or collect information related to the enforcement of the
18 laws of the state of Kansas, including the use or installation of a tracking
19 device.

20 (2) "Tracking device" means the same as defined in K.S.A. 22-2502,
21 and amendments thereto.

22 Sec. 2. (a) No law enforcement agency in this state shall enter into
23 an agreement, whether informal or formal, with an owner or operator of a
24 utility pole to install or have installed a tracking device to conduct
25 surveillance on private property, unless authorized pursuant to a warrant
26 under K.S.A. 22-2502, and amendments thereto, the constitution of the
27 United States or a judicially recognized exception to the search warrant
28 requirement.

29 (b) As used in this section:

30 (1) "Surveillance" means either physical or electronic presence on
31 private property, including the use or installation of a tracking device, to
32 monitor activity or collect information related to the enforcement of the
33 laws of the state of Kansas, including the use or installation of a tracking
34 device.

35 (2) "Tracking device" means the same as defined in K.S.A. 22-2502,
36 and amendments thereto.

1 (3) "Utility pole" means the same as defined in K.S.A. 66-2019, and
2 amendments thereto.

3 Sec. 3. This act shall take effect and be in force from and after its
4 publication in the statute book.